

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Civil File No.: 17-CV-02329 (DWF/DTS)

The Estate of Vivian Maier,

Plaintiff,

vs.

**DECLARATION OF COUNSEL IN
SUPPORT OF APPLICATION FOR
DEFAULT**

MPLS Photo Center, LLC,

Defendant.

Pursuant to 28 U.S.C. § 1746, I, Lauren Ritchie, an attorney for Plaintiff, The Estate of Vivian Maier (the “Estate”), declare the following:

1. On June 28, 2017, the Estate filed its Complaint in this action. (Docket No. 1.) A Summons was issued and Defendant was served with the Summons and Complaint that same day. (Docket No. 6.) The Complaint asserts a cause of action for copyright infringement against Defendant. (Docket No. 1 at ¶¶ 27-38.)

2. Pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i), Defendant was required to answer or otherwise respond to the Complaint on or before July 19, 2017.

3. On July 31, 2017, the Estate’s representatives communicated with Jeff Harrington, Defendant’s owner, and notified him that Defendant was in default and that the Estate would soon be filing an application for default.

4. On August 10, 2017, the Estate again communicated with Mr. Harrington and informed him that the Estate would soon be filing its application for default and would subsequently be seeking to take discovery concerning damages.

5. As of the date of this application, the Defendant has not appeared in this action or answered or otherwise responded to the Complaint.

6. Accordingly, the Defendant is in default.

I declare, under penalty of perjury, that the foregoing is true and correct.

Date: August 17, 2017

A handwritten signature in cursive script, appearing to read "Lauren E. Ritchie", is written over a horizontal line.

Lauren E. Ritchie (MN#398508)